

TTORNEY'S DOCKET NUMBER: 2003080-0143 (SK-744-CON9)

ED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Danishefsky et al.

Examiner: Solola, T. A.

Serial No.:

10/726,386

Art Unit: 1626

Filed:

December 2, 2003

For:

Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

TRANSMITTAL

Enclosed please find the following:

- 1. Preliminary Amendment (7 pages);
- 2. Identification of Patent Under 37 C.F.R. § 1.607(c) (1 page); and
- 3. Return Postcard.

Please charge any fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

C. Hunter Baker, M.D., Ph.D.

Registration Number: 46,533

Choate, Hall & Stewart Exchange Place 53 State Street Boston, MA 02109 (617) 248-5000

Date: March 15, 2005

Certificate of Mailing

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as-First-Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 15, 2005

Date

Kenneth R. Maben

Typed or Printed Name of person signing certificate

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IDENTIFICATION OF PATENT UNDER 37 C.F.R. § 1.607(c)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As required by 37 C.F.R. § 1.607(c), Applicant submits that the above-referenced application, as amended herewith on March 15, 2005, presents a claim (claim 80) that corresponds substantially to claim 1 of U.S. Patent 6,156,905, issued December 5, 2001. This claim was first copied into related U.S. application, U.S.S.N. 10/004,571, filed December 4, 2001, within one year of its issuance. The claim has now been added to the above-referenced application to maintain pendency of the claim since the claim will be canceled from U.S.S.N. 10/004,571 to allow for issuance of the allowed claims in that case.

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PRELIMINARY AMENDMENT

Please amend the above-referenced application as follows:

Amendments to the Claims are reflecting in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.